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United States Senate

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

WASHINGTON, DC 20510-8175

REPRESENTATIVE M. FLORES, MAJORITY STAFF DIRECTOR
JOHN J. HARTMAN, MINORITY STAFF DIRECTOR

May 24, 2017

Barry Breen
Acting Assistant Administrator
Office of Land and Emergency Management
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N. W.
Mail Code: 5101T
Washington, DC 20460

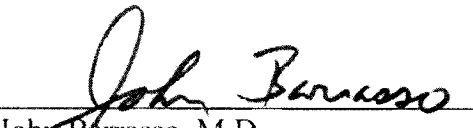
Dear Mr. Breen:


On behalf of the Senate Committee on Environment and Public Works, we would like to thank you for testifying before the Committee on Wednesday, March 29, 2017 at the hearing entitled, , *"Cleaning Up Our Nation's Cold War Legacy Sites."* The committee greatly appreciates your attendance and participation in this hearing.

In order to maximize the opportunity for communication between you and the Committee, follow-up questions have been submitted by the members. To comply with Committee rules, please e-mail a copy of your responses to Elizabeth.Olsen@epw.senate.gov or deliver one hard copy by **COB Thursday, June 8, 2017**. Responses should be delivered to the EPW Committee at 410 Dirksen Senate Office Building, Washington, DC 20510. Due to security restrictions, only couriers or employees with government identification will be permitted to bring packages into the building.

If you have any questions about the requests or the hearing, please feel free to contact Staff Director, Richard Russell in the Majority office at (202) 224-6176 or Staff Director, Gabrielle Batkin in the Minority Office at (202) 224-8832.

Sincerely,


John Barrasso, M.D.
Chairman


Thomas R. Carper
Ranking Member

Senate Environment and Public Works Committee
Hearing entitled, “Cleaning Up Our Nation’s Cold War Legacy Sites”
March 29, 2017
Questions for the Record for Barry Breen

Ranking Member Carper:

1. During the hearing, you noted that cuts to the EPA Superfund budget could lead to a) slower cleanups or b) some sites not being prioritized or being prioritized differently for clean-up efforts. Please list the sites that you would expect each outcome for if Congress adopts the President’s “skinny budget”.
2. Please provide a list that includes the following information:
 - a. Each proposed regulation or other proposed final agency action relating to the clean-up of toxic chemicals or the regulation or restriction of a chemical substance or a pesticide that was proposed after January 1, 2016 but not yet finalized, along with a timeline and expected date each such regulation or action will be finalized. If any such regulation or action is not expected to be finalized, please explain why not?
 - b. Each proposed regulation or other proposed final agency action relating to the clean-up of toxic chemicals or the regulation or restriction of a chemical substance or a pesticide that was submitted to OMB after January 1, 2016 but not yet formally proposed, along with a timeline and expected date each such regulation or action will be formally proposed. If any such regulation or action is not expected to be formally proposed, please explain why not?

Senator Gillibrand:

3. Based on my understanding of the Atlantic Fleet Weapons Training Area Site in Vieques, it sounds like there has been significant done work investigating and removing munitions, removing solid wastes piles/debris, while also striving to ensure protection of human health and the environment.
 - a. Due to the size of the site and the complexity and logistics of ensuring safe removal - including personnel safety, access to supplies, and protection of the endangered species in the area - how will a reduction in EPA’s funding impact the schedule to complete the cleanup for this community of 9,100 residents and a growing tourism industry?
4. What steps is the EPA taking to work with the local community to address their concerns about the impacts of the project on air quality in the surrounding community?
5. I have heard concerns from local stakeholders that the information provided by the EPA and the Navy is not always accessible to them in a format that can be easily understood by the general public. Can you commit that the EPA will work with the community to

ensure that written communications with the public are in the most accessible and understandable format possible?

Senator Harris:

6. On average, how long does it take to clean up a Superfund site?
7. In Oxnard, California, there is a site listed on the National Priorities List where the Army Corps of Engineers sent the polluter a cease and desist letter in 1977, but it took until 2007 for the EPA to list the site on the NPL. What processes have the EPA and the Army Corps of Engineers put in place to avoid similar delays, so that investigations, enforcement, and clean up can begin as soon as federal agencies are aware of pollution?
8. Please update the status of progress on and an expected timeline for completion of the cleanup of the Sulphur Bank Mercury Mine site in Clear Lake, California?

Senator Whitehouse:

9. For how many Formerly Used Defense Sites (FUDS) in Rhode Island does the EPA serve as the lead regulator of the FUDS property? Please provide the cleanup status and compliance with EPA regulations for those sites.